



DOCKET NO.: 211618US99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: : GROUP ART UNIT: 2823

RUDY M. EMRICK ET AL :

SERIAL NO.: 09/910,753 : EXAMINER: PHAM, L.

FILED: JULY 24, 2001 :

FOR: STRUCTURE AND METHOD FOR FABRICATING CONFIGURABLE
TRANSISTOR DEVICES UTILIZING THE FORMATION OF A COMPLIANT
SUBSTRATE FOR MATERIALS USED TO FORM THE SAME

PETITION IN RESPONSE TO IMPROPER NOTICE OF ABANDONMENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Applicants received a Notice of Abandonment dated April 8, 2003, in the above-identified case indicating that Applicant had failed to timely file a proper reply to the Office letter mailed on June 6, 2002. The Office letter in question was a Restriction Requirement.

On September 6, 2002, Applicant filed a Restriction Response along with a two month extension of time. This Restriction Response is attached hereto with a copy of Applicants' date-stamped filing receipt. Clearly, Applicant did timely respond to the June 6, 2002, Restriction Requirement. For this reason Applicants respectfully request the withdrawal of the Notice of Abandonment.

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Petition
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• • Because the abandonment of this case was a mistake on the part of the Office it is believed that no fee is due herewith. However, if a fee is due the Office is authorized to charge Deposit Account 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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